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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,309	03/07/2001	Raymond Severt Barsness	ROC920010075US1	2651

7590 08/27/2004

IBM Corporation  
Intellectual Property Law, Dept. 917  
3605 Highway 52 North  
Rochester, MN 55901

EXAMINER
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DUONG, THOMAS

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 08/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/801,309

**Applicant(s)**

BARSNESS ET AL.

**Examiner**

Thomas Duong

**Art Unit**

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 March 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to because they are not presentable. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Skinner et al. (US006721740B1).
4. With regard to claims 1 and 10, Skinner reference discloses,
  - a subject (application server 307); (Skinner, col.8, lines 23-31; col.14, line 38; module 307, fig.3; Skinner teaches of an application server that contains an update-management component which maintains an interest registry used to determine which client application is interested in the changes data objects or updates)

- *an observer (client 300A) associated with the subject and adapted to generate configuration information; and (Skinner, col.2, line 66 – col.3, line 23; col.14, lines 32-38; col.14, line 50 – col.15, line 27; module 300A, fig.3; Skinner teaches of a client that is capable of registering with the interest registry of the application server so that it may receive interested updates)*
  - *a transmission manager (observable 400) associated with the subject, the transmission manager adapted to receive the configuration information from the observer and to selectively communicate update information to the observer based on the configuration information. (Skinner, col.9, line 14 – col.10, line 23; fig.4; fig.7; Skinner teaches of a step where, upon receiving an update notification, the interest registry is searched for interested clients and then update notifications are sent to those clients that are interested in the change)*
5. With regard to claims 2-9 and 11-12, Skinner reference discloses the invention substantially as claimed,

See *claims 1 and 10* rejection as detailed above.

Furthermore, Skinner reference discloses,

- *wherein the configuration information includes a desired type indication (Skinner, col.9, line 14 – col.10, line 23; fig.4; fig.7; Skinner teaches of a step where, upon receiving an update notification, the interest registry is searched for interested clients and then update notifications are sent to those clients that are interested in the change)*
- *wherein the transmission manager selectively discards the update information in response to the desired type indication (Skinner, col.9, line 14 – col.10, line 23; fig.4; fig.7; Skinner teaches of a step where, upon receiving an update*

notification, the interest registry is searched for interested clients and then update notifications are sent to those clients that are interested in the change)

6. With regard to claims 13, 19 and 23, Skinner reference discloses,
- *communicating configuration information from the observer to an aspect;*  
(Skinner, col.2, line 66 – col.3, line 23; col.14, lines 32-38; col.14, line 50 – col.15, line 27; module 300A, fig.3; Skinner teaches of a client that is capable of registering with the interest registry of the application server so that it may receive interested updates)
  - *notifying the aspect of an update;* (Skinner, col.9, line 14 – col.10, line 23; fig.4; fig.7; Skinner teaches of a step where, upon receiving an update notification, the interest registry is searched for interested clients and then update notifications are sent to those clients that are interested in the change)
  - *interrogating the update to generate to generate update information; and selectively communicating the update to the observer based on a comparison between the update information and the configuration information.* (Skinner, col.9, line 14 – col.10, line 23; fig.4; fig.7; Skinner teaches of a step where, upon receiving an update notification, the interest registry is searched for interested clients and then update notifications are sent to those clients that are interested in the change)
7. With regard to claims 14-18 and 20-22, Skinner reference discloses the invention substantially as claimed,

See *claims 13 and 19* rejection as detailed above.

Furthermore, Skinner reference discloses,

- *further comprising selectively modifying the update based on a comparison between the update information and the configuration information.* (Skinner, col.9, line 14 – col.10, line 23; fig.4; fig.7; Skinner teaches of a step where, upon receiving an update notification, the interest registry is searched for interested clients and then update notifications are sent to those clients that are interested in the change)
- *further comprising accumulating the update information based on a comparison between the update information and the configuration information.* (Skinner, col.9, line 14 – col.10, line 23; fig.4; fig.7; Skinner teaches of a step where, upon receiving an update notification, the interest registry is searched for interested clients and then update notifications are sent to those clients that are interested in the change)

### **Conclusion**

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:
  - Palaniappan (US006711557B1)
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 703/305-1886. The examiner can normally be reached on M-F 7:30AM - 4:00PM.

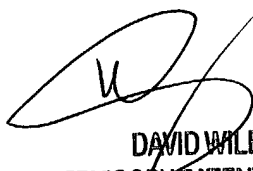
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703/308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are 703/872-9306 for regular communications and 703/872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703/305-3900.

*Thomas Duong (AU2143)*

*August 19, 2004*



DAVID WILEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100